

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Ramone Jacobo Garcia,

Petitioner

v.

Warden Jeremy Bean, et al.,

Respondents

Case No. 2:25-cv-01137-CDS-BNW

**Order Directing Petitioner to File an
Application to Proceed in Forma Pauperis
or Pay the Filing Fee**

Petitioner Ramone Jacobo Garcia, a Nevada prisoner, has submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. ECF No. 1-1. Garcia has not paid the filing fee (\$5.00) or filed an application to proceed *in forma pauperis* (IFP) on the correct form with the required attachments. Under 28 U.S.C. § 1915(a)(2) and the court's Local Rules (LSR 1-1, 1-2), a habeas petitioner unable to pay the filing fee must file an application for leave to proceed *in forma pauperis* on this court's approved form with both an inmate account statement for the past six months and a properly executed financial certificate.

Instead of meeting with these requirements, Garcia has submitted a document styled as an "Application to Appeal In Forma Pauperis" (ECF No. 1-3) and a note indicating that he is waiting for the accounting department to process his financial certificate (ECF No. 1-4). For this case to proceed, Garcia will be required to either pay the filing fee or perfect his application to proceed *in forma pauperis* by complying with the local rules.

I therefore order that the initial screening of Garcia's petition for writ of habeas corpus (ECF No. 1-1) under Rule 4 of the Rules Governing Section 2254 Cases is deferred to until such time as he has fully complied with this order.

1 I further order that by August 11, 2025, Garcia must file an IFP application on this court's
2 form that includes a: (a) financial certificate signed by Garcia and an authorized prison official, (b)
3 financial declaration and acknowledgement signed by Garcia, and (c) copy of Garcia's inmate
4 account statement for the six-month period prior to filing. Alternatively, Garcia must pay the \$5.00
5 filing fee by August 11, 2025. If Garcia decides to pay the filing fee from his inmate account, Garcia
6 must arrange to have a copy of this order attached to the check for the filing fee. Garcia's failure to
7 timely comply with this order or request an extension of time to do so will result in the dismissal of
8 his petition without prejudice and without further advance notice.

9 Dated: June 27, 2025

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12 Cristina D. Silva
13 United States District Judge
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